

## **The Goa Land (Prohibition on Construction) Act, 1995**



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**The Goa Land (Prohibition on Construction) Act, 1995 (Goa Act No. 20 of 1995) [25-8-1995]** published in the Official Gazette, Series I No. 24 dated 14<sup>th</sup> September, 1995 and came into force at once.

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## GOVERNMENT OF GOA

### Law, Legal & Legislative Affairs Department

#### Notification

7-21-95/LA

The Goa Land (Prohibition on Construction) Act, 1995 (Goa Act 20 of 1995) which has been passed by the Legislative Assembly of Goa on 31-7-1995 and assented to by the Governor of Goa on 25-8-1995, is hereby published for general information of the public.

*S. G. Marathe*, Under Secretary (Drafting).

Panaji, 5th September, 1995.

## The Goa Land (Prohibition on Construction) Act, 1995

(Goa Act No. 20 of 1995) [25-8-1995]

AN

ACT

*to provide for prohibition on construction of a building, structure, etc. on certain lands in the State of Goa.*

Be it enacted by the Legislative Assembly of Goa in the Forty-sixth Year of the Republic of India as follows:—

**1. Short title and commencement.**— (1) This Act may be called the Goa Land (Prohibition on Construction) Act, 1995.

(2) It extends to the whole of the State of Goa.

(3) It shall come into force at once.

**2. Interpretation.**— Unless there is anything repugnant in the subject or context, the words and expressions used in this Act shall have the same meaning as assigned to them

in the Goa, Daman and Diu Municipalities Act, 1968 (Act 7 of 1969), the Goa Panchayat Raj Act, 1994 (Act 14 of 1994) and the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975).

**3. The provision of this Act to be in addition to any other law for the time being in force.**— Nothing in this Act shall be deemed to affect the operation of any other law and the provisions of this Act shall be in addition to and not in derogation of the provisions of such other law.

**4. Restriction on construction on certain lands.**— No person shall on and from the date of commencement of this Act, undertake any work of construction of any structure, building, hut or other structure or any part thereof on any land belonging to the Government, a local authority or a Comunidade except under the authority of written permission granted by the concerned authority.

**Explanation.**— (1) ‘Comunidade’ means the Comunidade established under the Diploma Legislative No. 2070 dated 15-4-1961.

(2) Any construction intended for temporary use of not more than fifteen days in connection with any festivities or religious activities shall not be deemed to be a construction for the purpose of this section.

**5. Penalty.**— (1) Notwithstanding anything to the contrary contained in any other law for the time being in force, whoever contravenes the provisions of section 4 shall, on conviction, be punished with imprisonment which may extend to three months or with fine which may extend to Rs. 2000/- or with both.

(2) An offence under this section shall be cognizable.

**6. The local authority may remove any unauthorised temporary buildings work.**— (1) The local authority of the area or such authority as specified by the Government in this behalf, may remove or cause to be removed any construction done in contravention of section 4.

(2) All reasonable expenditure incurred by the local authority or such authority as duly authorised by the Government under sub-section (1), shall be recoverable as arrears of land revenue under the law for the time being in force.

**7. Bar on legal proceedings.**— No suit or legal proceeding shall be instituted against the local authority or any officer as duly authorised by the Government in this behalf, in respect of any act in good faith done or intended to be done in pursuance of the provisions of this Act.

Secretariat Annexe,  
Panaji.  
5th September, 1995.

B. S. SUBBANNA,  
Secretary to the Government of Goa,  
Law Department (Legal Affairs).